



US Army Corps
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Seattle District

Consultation Workshop

To begin the dialogue
about the types of projects that
the Corps can implement to help meet
the high priority needs of the region



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Early Actions vs Next Actions



Seahurst Beach Restoration



Skokomish Dike Removal



Lk. Wash. Gravel



Derelict Gear Removal

- Early Actions: ad hoc selection, limited consultation, 1-2 years to implement.
- Next Actions: thorough consultation w/ implementation within 1-2 years; possibly design now for future years?



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Program Overview

- Key Facts
- Corps & Sponsor Responsibilities
- Critical Restoration with Immediate Ecological Benefits
- PSAWR Real-Estate Basics
- Project Cooperation Agreements
- Project Plan Formulation



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Program Key Facts

- Dedicated to the Puget Sound basin
- Water Resource Development Act of 2000, Section 544 authorizes PSAWR
- Total funding to-date \$2M
- Total Authorization \$40M
- Total federal maximum per project \$5M



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Program Key Facts

- Critical ecosystem projects with immediate benefits
- Consult regional stakeholders
- Implement stakeholder or Corps designs
- Protect, Preserve, Restore
- Freshwater, Marine, Estuarine
- Strait of Juan de Fuca, Hood Canal, Admiralty Inlet, Rosario Strait, waters of Puget Sound



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Program Key Facts

- Consistent with fish recovery goals
- Use existing plans or conduct studies
- Sponsors may waive credits for excess real-estate values
- Website:
WWW.NWS.USACE.ARMY.MIL



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Common PSAWR Myths Dispelled



Myth: The Corps buys land or takes ownership in sponsor provided lands.

Fact: Sponsors buy and own lands for PSAWR projects.



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Common PSAWR Myths Dispelled

Myth: The Corps will pay for clean-up of hazardous or toxic waste on project lands.



Fact: Although, the Corps may clean-up hazardous or toxic waste on project lands if encountered during construction, the sponsor pays 100% of



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Common PSAWR Myths Dispelled

Myth: PSAWR projects can be justified with flood control, shore protection or navigation benefits.

Fact: Corps does ecosystem restoration with PSAWR. Other Corps authorities can be used at nearby sites as separate projects justified, funded, approved.





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Common PSAWR Myths Dispelled

Myth: PSAWR projects can be justified with economic development benefits.

Fact: PSAWR projects are formulated for ecosystem restoration benefits to the environment.





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Common PSAWR Myths Dispelled



Myth: PSAWR projects can be justified by recreational benefits.

Fact: PSAWR projects may include minor, compatible recreational benefits that cost less

- **than 10% total federal \$\$\$.**



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Corps Responsibilities

- Select high priority projects thru consultation
- Provide 65% Total Project Costs
- Sign Project Cooperation Agreements
- LER, in-kind services, and cash credits to sponsors after PCA's signed
- Manage and construct projects
- Implement consistent with ecosystem policies



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Sponsor Responsibilities

- Sign Project Cooperation Agreement (PCA)
- Provide Lands, Easements and Rights-of-Way (LER)
- Pay 35% Total Project Costs,
- 35%: real-estate, in-kind services, & cash
- In-kind limited to 50% sponsor cost-share
- Pay 100% for Operation, Maintenance, Repair, Replacement and Rehabilitation



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Critical Restoration with Immediate Ecological Benefits

- **Program Goal:** Collaborative projects to restore ecosystem processes, habitats, and functions
- **Projects** that “produce immediate and substantial ecosystem restoration, preservation, and protection benefits”
- **Problems:**
 - Loss of Habitat-Forming Processes
 - Loss and Alteration of Habitat
 - Decline in Native Species/Increase in Invasive Species



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Critical Restoration with Immediate Ecological Benefits

Objectives

- **Restore Physical and Biological Processes that Generate Habitats**
remove impediments to processes
- **Restore Native Habitats and Habitat-Forming Structures**
accelerate process based restoration in critical landscape areas or limited habitat types
- **Recover Biodiversity and Biological Integrity of Native Species and Habitats**
links other projects and areas providing functions at a scale larger than the project itself



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Critical Restoration with Immediate Ecological Benefits

- Actions with a reasonable level of certainty
- Conceptual understanding of processes

Substantial

- Large scale
- Links other projects and areas providing functions at a scale larger than itself



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Critical Restoration with Immediate Ecological Benefits

Categories and Examples of Actions

- **Critical Habitat**

Pocket Estuary Causeway Removal, Bulkhead Removal

- **Coupled Restoration and Preservation**

Restoration within reserve, park or refuge areas

- **Coupled Projects**

Linking projects under other authorities with PSAWR

Linking one or more projects into a larger scale planning area

- **Managing Uncertainty**

Phased or Adaptive Implementation

(not necessarily cost-shared)



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PSAWR Real Estate Basics

- Sponsor provides Lands, Easements, Rights-of-Way, Relocations, Disposal Sites (LERRD) after PCA signed
- Typical: Fee-simple ownership; Rare: Easement
- Sponsor owns real estate in-perpetuity
- Real estate area limited to restoration “footprint”
- Land availability certified before restoration begins
- Credit evaluation starts 6-months after lands certified available
- Corps final arbiter of value



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PSAWR Real Estate Basics Valuation

- Real estate value credited toward 35% cost-share
- Voluntary waiver of real estate value credit over 35%
- Fair-market appraisal sets value
- Some incidental expenses can contribute
- Real estate crediting is conceptually simple yet can become complicated
- Real estate crediting process documented in the PCA



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Project Cooperation Agreements

- Describe roles, responsibilities, processes, estimated costs, sponsor credits and types of work
- Approved by Assistant Secretary of the Army for Civil Works, ASA(CW)
- Signed by the sponsor and Corps' District Engineer
- Section 544, WRDA 2000 PCA language



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Project Cooperation Agreements

Section 641 Sponsor Responsibilities

- Pay 35% of the total costs of the project;
- Provide any land, easements, rights-of-way, dredged material disposal areas and relocations necessary to carry out the project;
- Pay 100% of the operation, maintenance, repair, replacement and rehabilitation costs associated with the project;
- Hold the United States harmless from any claim or damage that may arise from carrying out the project, except any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.



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Puget Sound and Adjacent Waters Restoration Program

Project Plan Formulation By Sponsors Without the Corps



Fiscal Year 2005 Consultation
Workshops



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Puget Sound and Adjacent Waters Restoration Program

Project Plan Formulation With Sponsors and the Corps

Conventional Project Delivery with the Corps



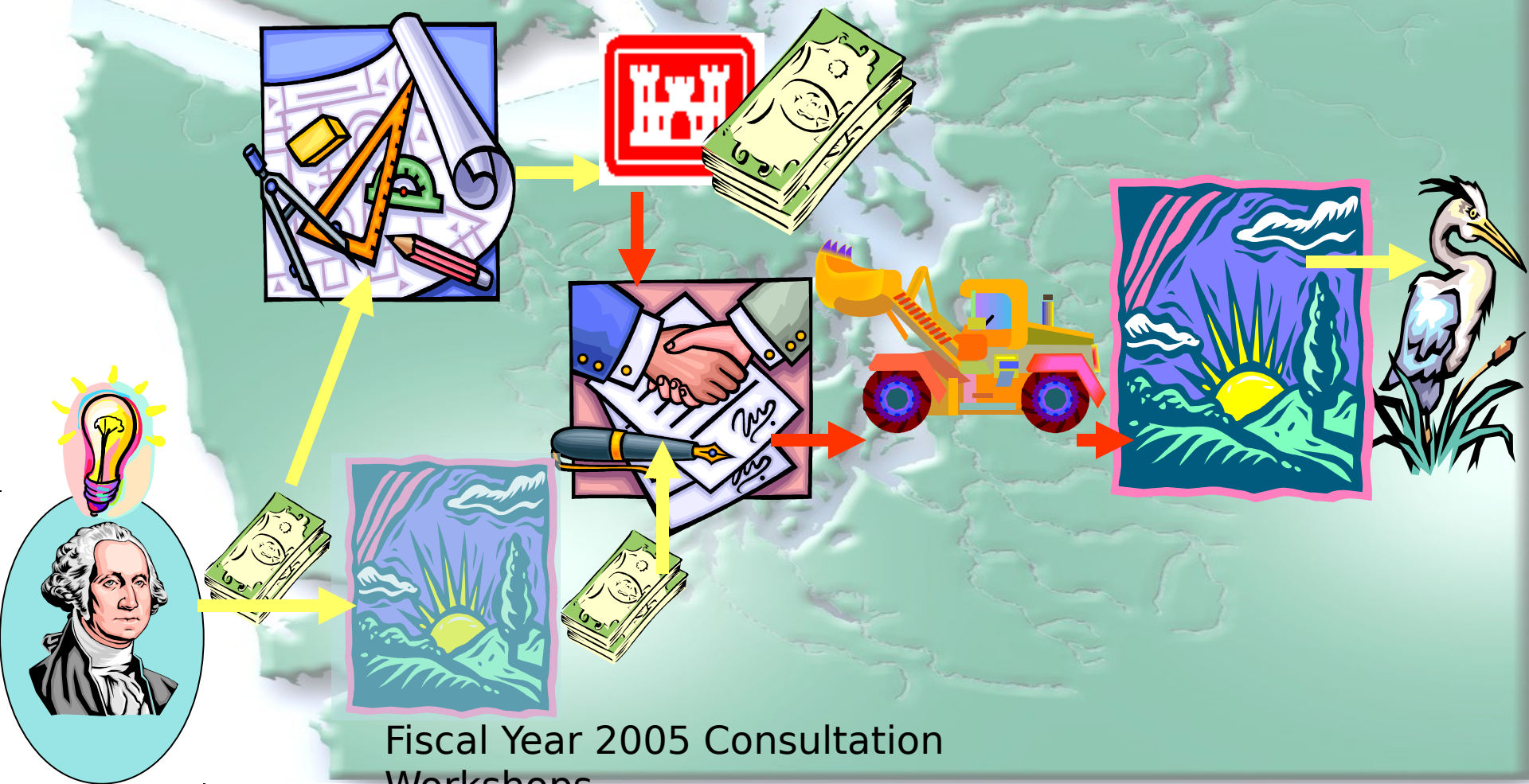
Fiscal Year 2005 Consultation
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Project Plan Formulation With Sponsors and the Corps

An Additional PSAWR Project Delivery Method





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Puget Sound and Adjacent Waters Restoration Program

So, how do we find the ideas and choose the types of critical projects to implement?



The outcomes from this workshop will guide the types of projects selected for PSAWR.